

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

MILTON THOMAS ANDERSON	§	PLAINTIFF
v.	§	CAUSE NO. 1:10CV452 LG-RHW
JUNNA JACKSON, ET AL.	§	DEFENDANTS

**ORDER ADOPTING PROPOSED FINDINGS OF FACT
AND RECOMMENDATIONS
AND DISMISSING PLAINTIFF'S COMPLAINT**

This cause comes before the Court on the Proposed Findings of Fact and Recommendations of United States Magistrate Judge Robert H. Walker entered in this cause on September 16, 2011. Magistrate Judge Walker reviewed the record in this case as well as the allegations of the Complaint. He recommends that the case be dismissed for failure to prosecute and for failure to state a claim.

There has been no objection to the Report and Recommendations filed. Where no party has objected to the Magistrate Judge's Proposed Findings of Fact and Recommendations, the Court need not conduct a de novo review. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court need only review the Proposed Findings of Fact and Recommendations and determine whether they are either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having conducted the required review, the Court finds that the Magistrate Judge's Proposed Findings of Fact and Recommendations are neither clearly erroneous

nor contrary to law. Therefore, the Court, being duly advised in the premises, finds that said Proposed Findings of Fact and Recommendations should be adopted as the opinion of this Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the Proposed Findings of Fact and Recommendations of United States Magistrate Robert H. Walker entered in this cause on September 16, 2011 [34] should be, and the same hereby is, adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that this case is **DISMISSED** without prejudice pursuant to FED. R. CIV. P. 12(b)(6) and 41(b).

SO ORDERED AND ADJUDGED this the 31st day of October, 2011.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE